

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**THIRTIETH DAY'S PROCEEDINGS**

**Twenty-third Regular Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Monday, May 12, 1997

The House of Representatives was called to order at 1:30 P.M., by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Gautreaux	Perkins
Alario	Glover	Pierre
Alexander, A.—93rd	Green	Pinac
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Barton	Heaton	Riddle
Baudoin	Hebert	Romero
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Vitter
Dimos	Martiny	Walsworth
Doerge	McCain	Warner
Donelon	McCallum	Welch
Dupre	McDonald	Weston
Durand	McMains	Wiggins
Farve	Michot	Wilkerson
Faucheux	Mitchell	Willard-Lewis

Flavin  
Fontenot  
Forster  
Frith  
Fruge  
Total—103

Montgomery  
Morrell  
Morrish  
Murray  
Odinet

Windhorst  
Winston  
Wright

ABSENT

Powell  
Total—2

Triche

The Speaker announced that there were 103 members present and a quorum.

**Prayer**

Prayer was offered by Rev. Carroll Marr.

**Pledge of Allegiance**

Rep. Wiggins led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Hill, the reading of the Journal was dispensed with.

On motion of Rep. Hill, the Journal of May 9, 1997, was adopted.

**Petitions, Memorials and**  
**Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**SENATE BILLS**

May 9, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 506, 513, 872, 972, 1009, 1055, 1098, 1138, 1285, 1310, 1323 and 1466

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. McCain, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions**  
**on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

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### SENATE BILL NO. 506—

BY SENATOR DYESS

#### AN ACT

To enact R.S. 48:277, relative to state highways; to require the Department of Transportation and Development to erect directional signs to churches; and to provide for related matters.

Read by title.

### SENATE BILL NO. 513—

BY SENATORS COX AND JORDAN

#### AN ACT

To repeal R.S. 15:171, relative to time limitations, to delete requirement for an expeditious disposition of criminal cases involving minors; and to provide for related matters.

Read by title.

### SENATE BILL NO. 872—

BY SENATORS HINES, BEAN AND SCHEDLER

#### AN ACT

To amend and reenact R.S. 30:2011(A)(3) and (D)(23), 2073(8), 2074(A)(4), 2078(A), (B)(1), the introductory paragraph of (B)(2), (B)(2)(a) and (i), (B)(3), and (C), 2079(A), 2080, 2081, 2083, 2087 and 2088, and to enact R.S. 30:2074(B)(8) and Chapter 32 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2821 through 2826, relative to state funds; to provide for legislative findings relative to the necessity of having a drinking water revolving loan fund; to provide for definitions; to create the Drinking Water Revolving Loan Fund; to authorize the Department of Environmental Quality to administer the fund; to authorize the Department of Environmental Quality to issue tax-exempt debt relative to the fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; to provide for certain loan and loan repayment conditions; to provide for rule making authority for the Department of Environmental Quality and the Department of Health and Hospitals, office of public health; to create the Drinking Water Revolving Loan Fund Program within the Department of Health and Hospitals, office of public health; to provide for the administration of the program by the office of public health; to authorize the Department of Health and Hospitals, office of public health to enter into agreements with the federal government relative to receipt of grant funds for the purpose of providing financial assistance for the improvement of certain public water systems; to authorize the imposition of an administrative fee; and to provide for related matters.

Read by title.

### SENATE BILL NO. 972—

BY SENATOR HAINKEL

#### AN ACT

To amend and reenact R.S. 56:325.1(A)(2), the introductory paragraph of R.S. 56:325.1(B), 325.1(B)(2), (C)(1) and (C)(2)(a) and (c), and to enact R.S. 56:325.1(A)(3), relative to recreational saltwater finfish; to allow recreational fishermen to have a two-day bag limit of red drum and spotted sea trout in possession under certain conditions; and to provide for related matters.

Read by title.

### SENATE BILL NO. 1009—

BY SENATORS DARDENNE, HINES, CASANOVA, DYESS AND SCHEDLER

#### AN ACT

To amend and reenact R.S. 40:1231, 1231.1, 1231.2, 1232, 1233, and 1234(A), (B), (C), (D), and (F), to enact R.S. 36:259(F) and 919.4 and R.S. 40:1232.1, 1232.2, 1232.3, 1232.4, 1232.5, 1232.6, 1232.7, 1232.8, 1232.9, 1232.10, and 1232.11, and to

repeal R.S. 40:1234(G), relative to emergency medical services; to provide for definitions; to create the Louisiana Emergency Medical Services Certification Commission in the Department of Health and Hospitals and to provide for appointment and confirmation of membership, qualifications, terms, vacancies, officers, reimbursements, removal, and powers and duties; to establish requirements for certification and renewal of certificates; to provide grounds for disciplinary action; to provide for notice and hearing on disciplinary matters; to provide for injunctive relief; to provide for violations and penalties; to provide for an exception to certification requirements; to authorize the promulgating of rules and regulations in regard to emergency medical services; to provide for scope of practice of emergency medical technicians and first responders; to provide for immunity from civil damages; to provide for duties relative to the bureau of emergency medical services; to designate statutory provisions into Subparts; and to provide for related matters.

Read by title.

### SENATE BILL NO. 1055—

BY SENATOR CRAVINS

#### AN ACT

To amend and reenact R.S. 22:21(Introductory paragraph) and 23(C) and to enact R.S. 22:22(C)(3) and 24, relative to pilot programs for employment-based health and workers compensation insurance coverage; to permit groups of employers to participate in the pilot program; to expand the program from two to five years; to permit the employee to pay a portion of the 24-hour coverage; to delineate all pilot programs as an exclusive remedy for employees; and to provide for related matters.

Read by title.

### SENATE BILL NO. 1098—

BY SENATORS ROBICHAUX AND LANDRY

#### AN ACT

To enact R.S. 23:967, relative to interference with individual rights; to provide with respect to employment; to prohibit acts by an employer against an employee for intended or actual disclosure of an activity, policy or practice in violation of law; to provide penalties for employers who engage in reprisal; to provide for damages; and to provide for related matters.

Read by title.

### SENATE BILL NO. 1138—

BY SENATOR DEAN

#### AN ACT

To enact Chapter 9-C of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1358, relative to local finance; to prohibit municipal corporations from engaging in unreasonable competition; to exclude municipal owned utility services and garbage collection services; and to provide for related matters.

Read by title.

### SENATE BILL NO. 1285—

BY SENATORS DARDENNE, BARHAM, BEAN, GUIDRY, JOHNSON, SCHEDLER, SMITH, BAGNERIS, BAJOE, CASANOVA, COX, CRAVINS, DEAN, DYESS, FIELDS, GREENE, HOLLIS, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SHORT, SIRACUSA, THEUNISSEN AND ULLO

#### AN ACT

To amend and reenact R.S. 47:463.3(A), 463.6(B)(3), 463.8(B), 463.9(B), 463.10, 463.12(B), 463.14(B), 463.15(C), 463.16(D), 463.22(B), 463.23(B), 463.24(B), 463.28(C), 463.30(B), 463.32(E), 463.33(B), 463.36(B), 463.37(B), and 463.42(B), and to enact R.S. 40:1236.5 and R.S. 47:463.46 and 463.47, relative to motor vehicles; to provide relative to certain prestige

license plates; to repeal annual fee for such plates; to require one time fee for such plates; to authorize certain new prestige plates; to provide for fees; to provide for the distribution of funds for certain plates; to require the promulgation of rules relative to certain plates; to provide for the design of certain plates; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1310—**

BY SENATORS HAINKEL, BRANCH, SHORT, THEUNISSEN, BAGNERIS, BAJOE, BARHAM, BEAN, CAMPBELL, CASANOVA, COX, DARDENNE, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HEITMEIER, HINES, HOLLIS, IRONS, JORDAN, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, AND ULLO  
AN ACT

To authorize the board of directors of the Louisiana School for Math, Science, and the Arts to designate a facility located on said campus in honor of Dave Treen, former governor.

Read by title.

**SENATE BILL NO. 1323—**

BY SENATOR EWING

AN ACT

To enact Part VIII-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:300 through 302, relative to access to public data bases; to provide for the public policy of the state; to provide for access to data bases for individuals who are visually impaired; to provide for the purchase of technology that facilitates access to data; to provide for a technology access advisory council; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1466—**

BY SENATOR ROMERO

AN ACT

To enact R. S. 45:816(9) and Chapter 8-E of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:840 through 844, relative to telephone calls; to provide for calls placed to inform the public of an emergency; to define terms; to provide for emergency alert services; to provide for listed and unlisted telephone numbers; to authorize the use of automatic dialing and announcing devices; and to provide for related matters.

Read by title.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Labor and Industrial Relations**

May 12, 1997

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 9, 1997, I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 995, by Murray  
Reported favorably. (11-0) (Regular)

House Bill No. 2474, by Wiggins  
Reported with amendments. (10-0) (Regular)

GAREY FORSTER

Chairman

**Report of the Committee on Appropriations**

May 12, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 62, by Faucheux  
Reported with amendments. (9-0-1) (Regular)

House Bill No. 68, by Riddle  
Reported with amendments. (10-0) (Regular)

House Bill No. 235, by Flavin  
Reported with amendments. (10-0) (Regular)

House Bill No. 240, by Michot  
Reported favorably. (10-0) (Regular)

House Bill No. 1233, by Michot  
Reported favorably. (10-0) (Regular)

House Bill No. 1264, by McDonald  
Reported favorably. (10-0) (Regular)

House Bill No. 1281, by Faucheux  
Reported favorably. (11-0) (Regular)

House Bill No. 1379, by Downer  
Reported with amendments. (10-0) (Regular)

House Bill No. 1380, by Downer  
Reported with amendments. (10-0) (Regular)

House Bill No. 1515, by Downer  
Reported favorably. (8-1-1) (Regular)

House Bill No. 1911, by Downer  
Reported with amendments. (11-0) (Regular)

House Bill No. 1921, by Thompson  
Reported with amendments. (10-0) (Regular)

House Bill No. 2478, by Thomas  
Reported favorably. (10-0) (Regular)

JERRY LUKE LEBLANC  
Chairman

**House and House Concurrent Resolutions**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

**HOUSE RESOLUTION NO. 49—**

BY REPRESENTATIVE MURRAY

A RESOLUTION

To direct the legislative auditor to provide a written report to the Louisiana Legislature no later than September 30, 1997, relative to unpaid taxes and monies owed the state by Freeport-McMoran, Inc.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

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### HOUSE CONCURRENT RESOLUTION NO. 165—

BY REPRESENTATIVE FRITH

#### A CONCURRENT RESOLUTION

To memorialize U.S. Congress to standardize administration and regulation of federal laws on the taking of migratory game birds.

Read by title.

Under the rules, the above resolution was referred to the Committee on Natural Resources.

### Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

### SENATE BILL NO. 606—

BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM

#### AN ACT

To amend and reenact R.S. 18:461(A) and to enact R.S. 47:1675, relative to elected officials; to provide that any person who desires to become a candidate in a primary election shall obtain a tax clearance; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

### SENATE BILL NO. 763—

BY SENATOR SHORT

#### AN ACT

To enact Chapter 27-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.1 through 9039.4, relative to the East Florida Parishes Retirement District; to create the district; to provide for a board of directors to implement the powers, duties, functions, and responsibilities of the district; to authorize the district, with voter approval, to grant certain sales and use tax refunds; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Jack Smith, the bill was returned to the calendar subject to call.

### SENATE BILL NO. 960—

BY SENATOR GUIDRY

#### AN ACT

To enact Part V-A of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3541.21 and 3541.22, relative to home solicitation of aged persons; to provide definitions; to provide for prohibited practices; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

### SENATE BILL NO. 1136—

BY SENATOR DEAN

#### AN ACT

To amend and reenact R.S. 18:1432(B), relative to the Louisiana Election Code, to provide for certain remedies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

### SENATE BILL NO. 294—

BY SENATOR JORDAN

#### A JOINT RESOLUTION

Proposing to amend and reenact Article III, Section 2(B) of the Louisiana Constitution of 1974, relative to extraordinary sessions of the legislature; to provide that the proclamation for extraordinary sessions of the legislature state in general terms the objects of the session; to provide for the power of the legislature to legislate with regard to such objects; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Called from the calendar.

Read by title.

Rep. Holden moved that Senate Bill No. 294 be amended to conform with House Bill No. 384 and sent up the following floor amendments:

### HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Jetson to Engrossed Senate Bill No. 294 by Senator Jordan (Duplicate of H.B. No. 384)

#### AMENDMENT NO. 1

On page 1, line 2, delete "and reenact"

#### AMENDMENT NO. 2

On page 1, line 3, delete "relative" and insert "to provide with respect"

#### AMENDMENT NO. 3

On page 1, line 4, after "that the" delete the remainder of the line and delete lines 5 through 9 in their entirety and insert the following:

"legislature may legislate generally or specifically with respect to any object included in the proclamation convening the session, including any additional or alternative approach to any such object; to provide for submission of the proposed amendment to the electors; and to provide for related matters."

#### AMENDMENT NO. 4

On page 2, line 7, delete "in general terms"

#### AMENDMENT NO. 5

On page 2, at the end of line 10, insert "specifically"

#### AMENDMENT NO. 6

On page 2, line 11, after "proclamation" change the semicolon ";" to a period "." and delete the remainder of the line and insert "However, this power to legislate"

#### AMENDMENT NO. 7

On page 2, line 12, after "power to" delete the remainder of the line and delete line 13 in its entirety and insert "legislate generally or specifically with respect to any such object, including any additional or alternative approach to any such object."

#### AMENDMENT NO. 8

On page 2, delete lines 24 through 27 in their entirety and on page 3, delete lines 1 through 3 and on line 4, delete "enumerated in the proclamation," and insert the following:

"To provide that during extraordinary sessions the legislature may legislate generally or specifically with respect to any object listed in the proclamation convening the session, including legislating with respect to additional or alternative approaches to any such object."

On motion of Rep. Holden, the amendments were adopted.

### Motion

On motion of Rep. Holden, the above bill, as amended, was referred to the Legislative Bureau.

**SENATE BILL NO. 1449 (Substitute for Senate Bill No. 134 by Senator Cox)—**  
BY SENATOR COX

### AN ACT

To amend and reenact R.S. 13:477(14) and 621.14, relative to district courts; to provide for an additional judgeship in the fourteenth judicial district; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

Called from the calendar.

Read by title.

### Suspension of the Rules

On motion of Rep. Guillory, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Judiciary.

### House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions on second reading reported by committees were taken up and acted upon as follows:

**HOUSE BILL NO. 772—**  
BY REPRESENTATIVE WESTON

### AN ACT

To amend and reenact R.S. 51:2131(B) and (D), relative to the Louisiana Film and Video Commission; to provide relative to the membership of the commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 808—**  
BY REPRESENTATIVE WESTON

### AN ACT

To amend and reenact R.S. 36:201(C)(1) and to repeal Chapter 23 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1011 through 1016, R.S. 36:208(H), 209(Q), and 802.8, and Subpart B of Chapter 9 of Title 51 of the Louisiana

Revised Statutes of 1950, comprised of R.S. 51:1271 through 1276, relative to the Department of Culture, Recreation and Tourism; to abolish the Louisiana Governor's Mansion Commission and a program of grants and contracts between the Louisiana Tourism Development Commission and local tourism promotion agencies; to provide relative to certain agencies and offices which have been previously abolished or transferred from the department; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 808 by Representative Weston

#### AMENDMENT NO. 1

On page 1, line 2, after "repeal" delete the remainder of the line delete line 3 and on line 4 delete "R.S. 25:1005 through 1005.3,"

#### AMENDMENT NO. 2

On page 1, line 9, after "abolish" delete the remainder of the line and at the beginning of line 10 delete "Commission,"

#### AMENDMENT NO. 3

On page 1, line 10, after "Mansion" change "Commission," to "Commission"

#### AMENDMENT NO. 4

On page 2, line 12, after "Section 2." delete the remainder of the line and delete line 13 and insert "Chapter 23"

#### AMENDMENT NO. 5

On page 2, line 15, before "hereby" change "are" to "is" and change "their" to "its"

#### AMENDMENT NO. 6

On page 1, line 6, and on page 2, line 16, between "R.S. 36:208(H)," and "and 802.8" change "209(N) and (Q)," to "209(Q),"

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1011—**  
BY REPRESENTATIVE PINAC

### AN ACT

To amend and reenact R.S. 11:143(A), relative to state and statewide retirement systems; to allow a member of any public retirement system to transfer service credit from another public retirement system to the system where such member is an active contributing member; to provide for an effective date; and to provide for related matters.

Read by title.

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Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 1011 by Representative Pinac

#### AMENDMENT NO. 1

On page 1, at the beginning of line 14, between "(A)." and "As" insert "(1)"

#### AMENDMENT NO. 2

On page 2, at the end of line 3, insert "or who transferred service credit from"

#### AMENDMENT NO. 3

On page 2, line 6, between "plan" and "he", delete "to which"

#### AMENDMENT NO. 4

On page 2, line 7, after "contributing" delete the period "." add "to or to the system to which he last contributed."

#### AMENDMENT NO. 5

On page 2, between lines 7 and 8, add:

"(2)(a) Reverse transfers. Any member who transfers credit to the system, fund, or plan to which he last contributed shall be subject to the provisions of this Subsection.

(b) A member shall only be allowed to execute a reverse transfer one time and the transfer must be executed immediately prior to retirement from the receiving system.

(c) The request for a reverse transfer shall be accompanied by the member's application for retirement from the receiving system, and the member's date of retirement shall be made effective on the next business day following the transfer.

(d) The member shall be allowed to apply such transferred credit toward attainment of the retirement eligibility requirements of the receiving system.

(e) Any member who would not be eligible to retire from the receiving system after the transfer shall not be eligible to execute such a transfer under the provisions of this Paragraph.

(f) Any member who executes a reverse transfer and is reemployed by an employer who is covered by the transferring system shall be ineligible for membership in the transferring system after the effective date of the transfer.

(g) After the transfer is executed, the member who is transferring credit shall be ineligible for active contributing membership in the receiving system, unless the member is (i) employed in a capacity which would require membership in the receiving system as a condition of employment, and (ii) the member complies with all applicable provisions of law regarding the reemployment of a retiree.

(h) A reverse transfer shall be subject to the provisions of Subsection D of this Section."

#### AMENDMENT NO. 6

On page 2, between lines 8 and 9, insert:

"Section 2. Any transfer of membership or credit for service that is completed on or before December 31, 1997, shall not be affected by or subject to the provisions of this Act. Any person who completes a transfer of membership or credit for service on or before December 31, 1997, may continue to be a member of the system to which such membership or credit for service was transferred."

#### AMENDMENT NO. 7

On page 2, at the beginning of line 9, change "Section 2." to "Section 3."

On motion of Rep. Stelly, the amendments were adopted.

On motion of Rep. Stelly, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1191— BY REPRESENTATIVE STRAIN AN ACT**

To amend and reenact R.S. 23:184(introductory paragraph), relative to employment of minors; to require written permission of parent or legal guardian prior to issuance of an employment certificate; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

On motion of Rep. Forster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1284— BY REPRESENTATIVE FORSTER AN ACT**

To amend and reenact R.S. 23:1601(4), relative to unemployment compensation; to provide that a claimant shall be disqualified from receiving benefits during a labor strike; to provide that a claimant shall not be disqualified from receiving benefits during a labor lockout; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 1284 by Representative Forster

#### AMENDMENT NO. 1

On page 2, delete lines 4 through 6 in their entirety and insert in lieu thereof "In determining whether a strike exists, the administrator shall not inquire into the cause or causes of the"

On motion of Rep. Forster, the amendments were adopted.

On motion of Rep. Forster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1391—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 33:1735(A), relative to constables; to increase the compensation of the constable of the first city court in New Orleans; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the consent calendar.

**HOUSE BILL NO. 1397—**  
BY REPRESENTATIVES FAUCHEUX, ANSARDI, AND CHAISSON  
AN ACT

To enact R.S. 33:4574.10, relative to the parishes of St. Charles, St. John the Baptist, and St. James; to create the River Parishes Convention, Tourist, and Visitors Commission to have jurisdiction within such parishes; to provide for the appointment, powers, and duties of the commission; to authorize the levy and collection of a hotel/motel occupancy tax by the commission for the purpose of funding the activities of the commission; to provide relative to borrowing by the commission and budgetary matters; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1397 by Representative Faucheux, et al.

**AMENDMENT NO. 1**

On page 3, at the end of line 9, after the period "." insert the following:

"Further, appointments pursuant to this Subparagraph shall be made such as to insure that there is at least one representative of the Louisiana Hotel/Motel Association on the commission at all times."

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1398—**  
BY REPRESENTATIVES DUPRE AND DOWNER  
AN ACT

To amend and reenact R.S. 13:976(C), relative to court reporters; to provide for fees in civil and criminal cases in the Thirty-second Judicial District Court; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1463—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To enact Chapter 21-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:911, relative to historic preservation; to prohibit certain actions by governmental entities with respect to certain historic monuments and similar objects; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Municipal, Parochial and Cultural Affairs.

The substitute was read by title as follows:

**HOUSE BILL NO. 2510 (Substitute For House Bill 1463 by Representative Lancaster)—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To enact Chapter 21-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:911, relative to historic preservation; to require any state agency or subdivision to consider the impact of its actions or actions for which it grants a permit or license on certain historical property; to require approval of the state historic preservation officer of certain actions; and to provide for related matters.

Read by title.

On motion of Rep. Weston, the substitute was adopted and became House Bill No. 2510 by Rep. Weston, on behalf of the Committee on Municipal, Parochial and Cultural Affairs, as a substitute for House Bill No. 1463 by Rep. Lancaster.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 1526—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 37:2558(A), relative to certified shorthand reporters; to establish fees to be paid to the Board of Examiners of Certified Shorthand Reporters; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1834—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To enact R.S. 37:2560, relative to certified shorthand reporters; to authorize the Board of Examiners of Certified Shorthand Reporters to impose a fine; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1908—

BY REPRESENTATIVE DANIEL

#### AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(f) and R.S. 47:332.2(B) and to enact R.S. 33:4754.1-A(G), relative to funding for the East Baton Rouge Parish Riverside Centroplex Arena and Exhibition Center and other riverfront projects; to authorize the Baton Rouge Area Convention and Visitors Commission to levy an additional hotel occupancy tax and to provide that the proceeds of such additional tax shall be used for capital improvements and expansion of the center; to provide limitations; to provide for uses of monies in the East Baton Rouge Parish Riverside Centroplex Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1908 by Representative Daniel

#### AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 and 4 and insert the following:

"R.S. 33:4574.1-A(A)(1)(f) and R.S. 47:332.2(B) and to enact R.S. 33:4754.1-A(G), relative to funding for the East Baton Rouge Parish Riverside Centroplex Arena and Exhibition Center and other riverfront projects; to authorize the Baton Rouge Area Convention and Visitors Commission to levy an additional hotel occupancy tax and to provide that the proceeds of such additional tax shall be used for capital improvements and expansion of the center; to provide limitations; to provide for uses of monies in the East Baton Rouge Parish Riverside Centroplex Fund; to provide for an effective date;"

#### AMENDMENT NO. 2

On page 1, between lines 9 and 10, insert the following:

"Section 1. R.S. 33:4574.1-A(A)(1)(f) is hereby amended and reenacted and R.S. 33:4574.1-A(G) is hereby enacted to read as follows:

§4574.1-A. Occupancy taxes levied by the commissions

A.(1) For the purposes set forth in Subparagraph A(6)(c) of this Section, a commission created pursuant to R.S. 33:4574(A)(2) is authorized to levy and collect a tax upon the occupancy of hotel rooms, motel rooms, and overnight camping facilities within the jurisdiction of the commission. Such tax shall not exceed the following percentages of the rent or fee charged for such occupancy:

\* \* \*

(f) Baton Rouge Area Convention and Visitors Commission, three four percent subject to the provisions of Subsection G of this Section. Notwithstanding any provision of law to the contrary, the aggregate rate of occupancy taxes levied by all commissions in East

Baton Rouge Parish shall not exceed the rate authorized by this Subparagraph.

\* \* \*

G. The East Baton Rouge Parish Convention and Visitors Commission shall distribute and use the proceeds derived from one percent of the tax levied pursuant to this Section for capital improvements and expansion of the Riverside Centroplex Arena and Exhibition Center and the proceeds derived from the remaining three percent of the tax for such purposes as determined by the commission. If the governing authority of the city-parish of Baton Rouge and East Baton Rouge Parish abandons the planned capital improvements and expansion of the Riverside Centroplex Arena and Exhibition Center, the tax rate shall not exceed three percent. At such time as all costs for the capital improvements and expansion of the Riverside Centroplex Arena and Exhibition Center are paid in full, the tax rate shall not exceed three percent."

#### AMENDMENT NO. 3

On page 1, at the beginning of line 10, change "Section 1." to "Section 2."

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the consent calendar.

### HOUSE BILL NO. 1912—

BY REPRESENTATIVE HUNTER

#### AN ACT

To amend and reenact R.S. 13:1899(C)(12)(a) and to enact R.S. 13:1899(C)(12)(b)(i)(cc), relative to costs in criminal matters; to authorize an increase in certain fees in criminal matters in the City Court of Monroe; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the consent calendar.

### HOUSE BILL NO. 2237—

BY REPRESENTATIVE DEWITT

#### AN ACT

To amend and reenact Act No. 487 of the 1954 Regular Session of the Legislature as amended by Act No. 120 of the 1962 Regular Session, Act No. 396 of the 1964 Regular Session, Act No. 720 of the 1974 Regular Session, and Act No. 280 of the 1984 Regular Session and to repeal Section 17 of Act No. 487 of 1954, relative to the civil service system of the city of Alexandria; to amend provisions relative to the duties and meetings of the civil service commission, the authority of the office of personnel and the office of civil service and the directors of such offices, and membership in the classified service; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Municipal, Parochial and Cultural Affairs.

The substitute was read by title as follows:



**HOUSE BILL NO. 2511 (Substitute For House Bill No. 2237 by Representative DeWitt)—**

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact in its entirety Act No. 487 of the 1954 Regular Session of the Legislature, as amended by Act No. 120 of the 1962 Regular Session, Act No. 396 of the 1964 Regular Session, Act No. 720 of the 1974 Regular Session, and Act No. 280 of the 1984 Regular Session, relative to the civil service system of the city of Alexandria; to provide for the governance of and membership in such system; to provide for membership on and powers and duties of the governing authority of the system; to provide for classification and pay plans and other rules and regulations; to provide relative to qualifications for employment and employment and promotion lists; to provide relative to the director of the system and other matters of administration; to provide for investigations of complaints and disciplinary actions; to provide relative to prohibitions of political and other activities; and to provide for related matters.

Read by title.

On motion of Rep. Weston, the substitute was adopted and became House Bill No. 2511 by Rep. Weston, on behalf of the Committee on Municipal, Parochial and Cultural Affairs, as a substitute for House Bill No. 2237 by Rep. DeWitt.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 2287—**

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To enact R.S. 16:15.2, relative to district attorneys; to permit a district attorney to collect certain fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2330—**

BY REPRESENTATIVE THERIOT

AN ACT

To enact R.S. 33:1421(C), relative to deferred compensation plans; to provide for participation by sheriffs; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2343—**

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 40:2533(C), to provide for the expungement of records of complaints against law enforcement officers; and to provide for related matters.

Read by title.

Reported without action by the Committee on Judiciary.

**Motion**

On motion of Rep. Toomy, the bill was withdrawn from the files of the House.

**HOUSE BILL NO. 2349—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 46:56(F)(4)(a), relative to the confidentiality of case records pertaining to abuse or neglect of children; to authorize the head of a law enforcement agency originally reporting such case to receive information; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 2349 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 5, after "information" and before the semi-colon ";", delete "by telephone"

AMENDMENT NO. 2

On page 2, at the end of line 17, after "information" delete "by" and insert in lieu thereof a period "."

AMENDMENT NO. 3

On page 2, delete line 18 in its entirety

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2412—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact Chapter 33 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:5301 through 5304, relative to state district courts; to provide for drug and alcohol treatment programs through drug divisions to be operated by the district courts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2432—**

BY REPRESENTATIVE WESTON

AN ACT

To enact R.S. 13:1000, relative to district courts; to authorize district courts by rule to establish programs to provide fiscal support for local bar association qualified pro bono projects; to provide for additional costs for certain civil filings and for distribution of

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the proceeds to qualified projects; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 2432 by Representative Weston

#### AMENDMENT NO. 1

On page 1, line 15, after "poor" and before "and that" insert "in civil and family matters"

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the consent calendar.

### Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

#### **SENATE BILL NO. 175—** BY SENATOR HINES

##### AN ACT

To amend and reenact R.S. 37:913(3)(b), 1031(E), 1033, 1035, and 1171(5), relative to registered nurses; to provide for definitions; to provide that the scope of practice of advanced practice registered nursing includes certain acts of medical diagnosis and limited prescriptive authority in accordance with rules and regulations promulgated by the Louisiana State Board of Nursing; to provide for the terms of the members of the Committee on Prescriptive Authority for Advanced Practice Registered Nurses; to provide for reporting on the activities of the committee; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 175 by Senator Hines

#### AMENDMENT NO. 1

On page 1, line 2, after "1033," delete "1035,"

#### AMENDMENT NO. 2

On page 1, at the end of line 2, add "and to enact R.S. 37:1334(D)"

#### AMENDMENT NO. 3

On page 1, line 6, after "with" and before "rules" insert "promulgated"

#### AMENDMENT NO. 4

On page 1, line 6, after "regulations" delete the remainder of the line and delete lines 7 through 9 in their entirety and insert a semicolon ";," and "to provide for reporting the activities of the Committee on Prescriptive Authority for Advanced Practice Registered Nurses; to"

#### AMENDMENT NO. 5

On page 1, at the beginning of line 10, add "limit the ratio of advanced practice registered nurses to physicians in a practice; to"

#### AMENDMENT NO. 6

On page 2, delete line 2 in its entirety and on line 3 delete "Subparagraph, advanced" and insert in lieu thereof "(b) Advanced"

#### AMENDMENT NO. 7

On page 2, line 4, after "acts of" and before "diagnosis" delete "medical" and insert "advanced nursing"

#### AMENDMENT NO. 8

On page 2, line 8, after "regulations" and before "adopted" insert "jointly promulgated and"

#### AMENDMENT NO. 9

On page 2, at the end of line 8, after "board" insert "and the Louisiana State Board of Medical Examiners and published in the Louisiana Register on October 20, 1996"

#### AMENDMENT NO. 10

On page 2, delete lines 10 through 13 in their entirety

#### AMENDMENT NO. 11

On page 2, delete lines 26 and 27 in their entirety and on page 3, delete lines 1 through 6 in their entirety

#### AMENDMENT NO. 12

On page 3, at the beginning of line 7 delete "Section 3." and insert "Section 2."

#### AMENDMENT NO. 13

On page 3, line 7, after "(E)" and before "are hereby" delete the comma "," and "1033, and 1035" and insert "and 1033"

#### AMENDMENT NO. 14

On page 3, line 8, after "reenacted" and before "to read" insert "and R.S. 37:1034(D) is hereby enacted"

#### AMENDMENT NO. 15

On page 3, line 24, after "the" and before "of" delete "safety and effectiveness" and insert "appropriateness, scope, and extent by practice category and setting"

#### AMENDMENT NO. 16

On page 4, between lines 5 and 6, insert the following:

"§1034. Administration of Part

D(1) Except as provided in Paragraph (2) of this Subsection, an advanced practice registered nurse may not be granted prescriptive authority pursuant to a collaborative agreement with a physician or physician group if the physician already maintains collaborative agreements providing prescriptive authority with three advanced practice registered nurses or if the members of the physician group, collectively or individually, maintain collaborative agreements providing prescriptive authority for three advanced practice registered nurses per physician in the physician group.

(2) A physician or physician group which specializes in the treatment of diabetes or human immunodeficiency virus or specializes in the provision of midwifery services may not maintain collaborative agreements providing prescriptive authority for more than five advance practice registered nurses per physician.

\* \* \*

#### AMENDMENT NO. 17

On page 4, delete lines 6 through 8 in their entirety

#### AMENDMENT NO. 18

On page 4, at the beginning of line 9, delete "Section 4. Section 3" and insert "Section 3. Section 2"

#### AMENDMENT NO. 19

On page 5, at the beginning of line 11, delete "Section 5. Sections 1 and 2" and insert "Section 4. Section 1"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

#### **LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 175 by Senator Hines

#### AMENDMENT NO. 1

In House Committee Amendment No. 2, proposed by the House Committee on Health and Welfare, on line 4, after "37:" change "1334(D)" to "1034(D)"

On motion of Rep. Rodney Alexander, the amendments were adopted.

On motion of Rep. Rodney Alexander, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 459—**

BY SENATOR HINES

#### **AN ACT**

To amend and reenact R.S. 46:56(F)(4)(a), relative to public records; to authorize the Louisiana State Board of Dentistry and the Louisiana State Board of Medical Examiners to obtain certain information in case records of the Department of Health and Hospitals and the Department of Social Services without a written request by the board or a written waiver from an applicant, client, or his legal representative under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Rodney Alexander, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 501—**

BY SENATOR HINES AND REPRESENTATIVE DEWITT

#### **AN ACT**

To amend and reenact the introductory paragraph of R.S. 37:760 and to enact R.S. 37:760(B) and 763.1, relative to the Louisiana State Board of Dentistry; to provide for its powers and duties; to authorize the board to request and obtain criminal history record information on any person applying for any dental health care practitioner license, permit, certificate, or registration; to provide definitions; to provide for fees; to provide for confidentiality of information obtained; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Rodney Alexander, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 502—**

BY SENATOR HINES AND REPRESENTATIVE DEWITT

#### **AN ACT**

To amend and reenact R.S. 37:751(G), 752(4) and (8), 753(B) and (E)(3), 755, 760(4), (8), (9), (10), and (12), 761.1(2) and (4), 763(B), 764.1(A), (B), and (C), 770(A)(1) and (2), 774, 776(A)(8), the introductory paragraph of 777, 777(A)(11), 778, 780(A)(2) and (B)(1), 781(B), and 782, to enact R.S. 37:751(M), 753(J), 757, 764(C), 770(A)(3), (C), and (D), 776(A)(27), (28), and (29), 777(A)(21), (22), and (23), (B), and (C), and to repeal R.S. 37:761.1(5) and 764.1(A)(4), relative to the practice of dentistry; to provide for definitions; to provide for exemptions from licensing; to provide for appointments, vacancies, compensation, and powers and duties of the Louisiana State Board of Dentistry; to provide certain requirements for applicants for licensure, license reactivation, and renewal; to provide for refusal to issue, suspension, or revocation of a dental hygienist license and reinstatement thereof; to provide for a board hearing, notice, and penalty on charges against a licensed person; to provide relative to the issuance of subpoenas; to authorize the board to purchase immovable property; to provide for maintenance of certain records; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Rodney Alexander, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

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### SENATE BILL NO. 503—

BY SENATORS HINES AND LAMBERT AND REPRESENTATIVE DEWITT

#### AN ACT

To amend and reenact the introductory paragraph of R.S. 45:836 and 836(7), and to enact R.S. 45:836(14), (15), and (16), relative to the composition of the Coordinating Council on Telemedicine and Distance Education; to provide for additional members to be appointed by the Louisiana Board of Pharmacy; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Rodney Alexander, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

### SENATE BILL NO. 1303—

BY SENATOR HINES AND REPRESENTATIVES R. ALEXANDER AND THOMAS

#### AN ACT

To amend and reenact R.S. 17:2353 and 2354.4(D), (E), (J), and (K)(1) and to enact R.S. 17:2351(9), (10), and (11), relative to the Anatomical Gift Act; to provide for the designation of a state organ procurement organization; to provide for the donation of vascular organs to the Louisiana-designated organ procurement organization; to provide restrictions on the donation of vascular organs to out-of-state organ procurement organizations; to authorize the state organ procurement organization to enter into reciprocity agreements with organizations in other states; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Rodney Alexander, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

### Privileged Report of the Legislative Bureau

May 12, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 364  
Reported without amendments.

Senate Bill No. 434  
Reported without amendments.

Senate Bill No. 435  
Reported without amendments.

Senate Bill No. 461  
Reported without amendments.

Senate Bill No. 465  
Reported without amendments.

Senate Bill No. 467

Reported without amendments.

Senate Bill No. 819

Reported without amendments.

Senate Bill No. 1163

Reported with amendments.

Respectfully submitted,

JIMMY N. DIMOS  
Chairman

### Special Order of the Day

The following legislative instruments on Special Order were taken up and acted upon as follows:

### HOUSE BILL NO. 1—

BY REPRESENTATIVE LEBLANC

#### AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Rep. LeBlanc sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1 by Representative LeBlanc

#### AMENDMENT NO. 1

On page 28, at the beginning of lines 9, 14, and 20, change "Fees and Self-generated Revenues" to "Statutory Dedications from the Utility and Carrier Inspection and Supervision Fund"

#### AMENDMENT NO. 2

On page 114, line 50, after "Fund" delete the remainder of the line and at the beginning of line 51, delete "Program"

#### AMENDMENT NO. 3

On page 115, at the end of line 2, delete "for" and delete line 3 in its entirety

#### AMENDMENT NO. 4

On page 115, line 4, after "adjustments" delete "and one (1) position"

#### AMENDMENT NO. 5

On page 115, line 26, after "Fund" delete the remainder of the line

#### AMENDMENT NO. 6

On page 158, at the end of line 23, delete "Education" and at the beginning of line 24, delete "Majors" and insert "Teacher Preparation Loan"

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. LeBlanc sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 5, line 17, change "\$40,000,000" to "\$51,300,000"

AMENDMENT NO. 2

On page 5, line 18, after "payment of debt" and before "in Fiscal Year", insert "service"

AMENDMENT NO. 3

On page 5, line 20, after "1997-1998." delete the remainder of the line and delete lines 21 and 22 in their entirety

AMENDMENT NO. 4

On page 5, delete line 26 in its entirety and insert in lieu thereof the following:

"\$10,850,000; provided, however, that in the event either House Bill No. 1351 or Senate Bill No. 608 of the 1997 Regular Session of the Legislature is enacted into law, the amount of the reduction shall be \$10,000,000."

AMENDMENT NO. 5

On page 7, delete line 17 in its entirety and insert in lieu thereof the following:

"Section 15.A. Except for the conditions set forth in Subsection B of this Section, the following sums or so much thereof as may be necessary are"

AMENDMENT NO. 6

On page 7, between lines 27 and 28, insert the following:

"B. In the event advance payment of debt service in Fiscal Year 1996-1997 results in a reduction in General Obligation Bond Debt Service requirements for Fiscal Year 1997-1998 which is less than \$143,000,000, all appropriations which are dependent on such reduction shall be reduced on a pro rata basis."

AMENDMENT NO. 7

On page 7, line 28, change "B." to "C."

AMENDMENT NO. 8

On page 9, line 26, after "Program." delete the remainder of the line and delete lines 27 and 28 in their entirety

AMENDMENT NO. 9

On page 12, line 9, after "payment of debt" and before "in Fiscal Year", insert "service"

AMENDMENT NO. 10

On page 19, after line 30, insert the following:

"Payable out of the State General Fund (Direct) for Senior Center Outreach Revival Entity (SCORE) in Ouachita Parish for operational expenses of the senior citizen program \$ 75,000"

Payable out of the State General Fund (Direct) for support for TREME Community Educational Programs for senior citizens \$ 75,000"

AMENDMENT NO. 11

On page 31, between lines 21 and 22, insert the following:

"Payable out of the State General Fund (Direct) for additional support for soil and water conservation districts \$ 190,000"

AMENDMENT NO. 12

On page 34, line 7, after "Program." delete the remainder of the line and delete lines 8 and 9 in their entirety

AMENDMENT NO. 13

On page 35, line 13, after "Program." delete the remainder of the line and delete lines 14 and 15 in their entirety

AMENDMENT NO. 14

On page 64, line 36, after "Program." delete the remainder of the line and delete lines 37 and 38 in their entirety

AMENDMENT NO. 15

On page 64, line 43, after "Program." delete the remainder of the line and delete lines 44 and 45 in their entirety

AMENDMENT NO. 16

On page 70, at the beginning of line 1, change "09-305" to "09-XXX"

AMENDMENT NO. 17

On page 70, between lines 29 and 30, insert the following:

**"09-305 MEDICAL VENDOR ADMINISTRATION****EXPENDITURES:**

Medical Vendor Administration - Authorized Positions (1,121) \$ 94,192,622

**Program Description:** *Administers the Medicaid Program to insure operations are in accordance with federal and state statutes, rules and regulations.*

**Performance Indicators:**

Avg. number recipients/month 77,718

Total amt. third party liabilities recovered \$11,000,000

**TOTAL EXPENDITURES \$ 94,192,622**

**MEANS OF FINANCE:**

State General Fund (Direct) \$ 34,068,049

State General Fund by:

Fees & Self-generated Revenues \$ 3,609,000

Federal Funds \$ 56,515,573

**TOTAL MEANS OF FINANCING \$ 94,192,622**

AMENDMENT NO. 18

On page 71, at the end of line 1, change "\$398,136,977" to "\$409,467,716"

AMENDMENT NO. 19

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On page 71, at the end of line 18, change "\$710,012,222" to "\$698,681,483"

### AMENDMENT NO. 20

On page 73, between lines 13 and 14, insert the following:

"Payable out of Federal Funds for  
Payments to Private Providers for  
the Medically Needy Program \$ 37,818, 092"

### AMENDMENT NO. 21

On page 74, delete lines 1 through 15 in their entirety

### AMENDMENT NO. 22

On page 85, between lines 7 and 8, insert the following:

"Payable out of the State General Fund (Direct)  
for the Community Living Ombudsman Program \$ 275,000"

### AMENDMENT NO. 23

On page 109, after line 32, insert the following:

"Provided, however, that in the event either House Bill No. 1351 or Senate Bill No. 608 of the 1997 Regular Session of the Legislature is enacted into law, the commissioner of administration is hereby authorized and directed to reduce the State General Fund (Direct) appropriation contained herein by the amount of \$850,000 and to increase the appropriation from Fees & Self-generated Revenues by a like amount."

### AMENDMENT NO. 24

On page 125, line 17, after "Aid." delete the remainder of the line and delete line 18 in its entirety

### AMENDMENT NO. 25

On page 125, line 27, after "Aid." delete the remainder of the line and delete line 28 in its entirety

### AMENDMENT NO. 26

On page 130, at the end of line 22, change "\$1,500,000" to "\$1,100,000"

### AMENDMENT NO. 27

On page 131, line 18, after "Louisiana." delete the remainder of the line and delete lines 19 and 20 in their entirety

### AMENDMENT NO. 28

On page 132, between lines 18 and 19, insert the following:

"Payable out of the State General Fund (Direct)  
for additional support \$ 250,000"

### AMENDMENT NO. 29

On page 151, between lines 34 and 35, insert the following:

"Payable out of the State General Fund (Direct)  
for Nunez Community College for acquisitions  
and computer equipment \$ 50,000"

### AMENDMENT NO. 30

On page 182, between lines 4 and 5, insert the following:

"Payable out of the State General Fund (Direct)  
for one (1) Business Instructor position and  
one (1) Chief Clerk I position \$ 51,015"

### AMENDMENT NO. 31

On page 190, between lines 11 and 12, insert the following:

"Payable out of the State General Fund (Direct)  
for additional expenses, including two (2) auditing  
positions and one (1) nonpublic liaison position \$ 200,000"

### AMENDMENT NO. 32

On page 200, at the end of line 4, change "100,000" to "150,000"

### AMENDMENT NO. 33

On page 200, delete lines 5 through 7 in their entirety and insert in lieu thereof the following:

"Payable out of the State General Fund (Direct)  
for additional funding for the Required  
Services Program \$ 500,000"

### AMENDMENT NO. 34

On page 204, delete lines 1 through 7 in their entirety and insert in lieu thereof the following:

### **"20-923 CORRECTIONS DEBT SERVICE**

Payable out of the State General Fund (Direct)  
for debt service requirements pursuant to the  
debt service amortization schedule \$ 17,046,798"

### AMENDMENT NO. 35

On page 210, after line 48, insert the following:

"Payable out of the State General Fund by  
Statutory Dedication out of the Winn Parish  
Tourism Fund in the event House Bill No. 335  
of the 1997 Regular Session is enacted into law \$ 13,000"

Payable out of the State General Fund by  
Statutory Dedications out of the St. Mary  
Parish Visitor Enterprise Fund in the event  
House Bill No. 1652 of the 1997 Regular  
Session is enacted into law \$ 253,000"

Payable out of the State General Fund by  
Statutory Dedications out of the River Parishes  
Convention, Tourist and Visitor Bureau Fund  
in the event House Bill No. 335 of the 1997  
Regular Session is enacted into law \$ 50,000"

Payable out of the State General Fund by  
Statutory Dedications out of the Allen Parish  
Capital Improvements Fund in the event  
House Bill No. 1141 of the 1997 Regular  
Session is enacted into law \$ 120,000"

### AMENDMENT NO. 36

On page 211, line 44, after "1997-1998." delete the remainder of the line and delete lines 45 and 46 in their entirety

AMENDMENT NO. 37

On page 216, between lines 37 and 38, insert the following:

"Payable out of the State General Fund (Direct)  
to the city of Westwego for a restoration project  
on Sala Avenue \$ 260,000"

On motion of Rep. LeBlanc, the amendments were adopted.

**Motion**

On motion of Rep. LeBlanc, the House resolved itself into a Committee of the Whole House to take into consideration House Bill No. 1.

**Chairman Long In The Chair**

**House Business Resumed**

**Speaker Downer in the Chair**

The committee having risen, the chairman, Rep. Long, reported to the House that which the Committee of the Whole House had had under consideration:

**HOUSE BILL NO. 1—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Reported with amendments.

The committee amendments were read as follows:

**COMMITTEE OF THE WHOLE HOUSE AMENDMENTS**

Amendments proposed by Representatives LeBlanc, Durand, Deville, Frith, Fruge, Hebert, McCain, Michot, Pierre, Romero, and Jack Smith in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 31, between lines 21 and 22, insert the following:

"Payable out of the State General Fund (Direct)  
for professional services in the office of marketing  
to complete pursuit of legal options available to  
prevent the importation of Chinese crawfish into  
the U.S. \$ 100,000"

**COMMITTEE OF THE WHOLE HOUSE AMENDMENTS**

Amendments proposed by Representatives Thornhill, Thompson, Long, Salter, and Deville in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 73, between lines 13 and 14, insert the following:

"Provided, however, that of the funds appropriated herein for Payments to Private Providers, the amount of \$515,407,279 shall be allocated for long-term care facilities, which expenditures shall

include the cost of living adjustment and minimum wage increase as determined by the Medicaid reimbursement formulary in place as of May 1, 1997."

**COMMITTEE OF THE WHOLE HOUSE AMENDMENTS**

Amendments proposed by Representative Hebert in the Committee of the Whole House to House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 5, between lines 26 and 27, insert the following:

"Section 8E. The commissioner of administration is hereby authorized and directed to reduce the State General Fund (Direct) appropriations contained in this Act for payment of premiums by various state agencies to the office of risk management by the amount of \$2,810,500."

AMENDMENT NO. 2

On page 103, between lines 23 and 24, insert the following:

**"EXPENDITURES:**

To provide for increased board rates  
for foster family and adoption  
subsidy cases \$ 5,110,000

TOTAL EXPENDITURES \$ 5,110,000

**MEANS OF FINANCE:**

State General Fund (Direct) \$ 2,810,500  
Federal Funds \$ 2,299,500

TOTAL MEANS OF FINANCING \$ 5,110,000"

On motion of Rep. LeBlanc, the amendments were adopted.

**Motion**

On motion of Rep. LeBlanc, the bill, as amended, was returned to the calendar subject to call.

**Motion**

On motion of Rep. LeBlanc, House Bill No. 1 was made Special Order of the Day No. 1 for Tuesday, May 13, 1997.

**Suspension of the Rules**

On motion of Rep. Hebert, the rules were suspended in order to take up Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**

May 12, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

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Senate Bill Nos. 629, 951, 1026, and 1442

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

### Message from the Senate

#### SIGNED SENATE CONCURRENT RESOLUTIONS

May 12, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 102

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

### Message from the Senate

#### HOUSE CONCURRENT RESOLUTIONS

May 12, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 163  
Returned without amendments.

House Concurrent Resolution No. 164  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Message from the Senate

#### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 12, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 49, 51, 58, 95, 96, 98, and 105

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Message from the Senate

#### SENATE BILLS

May 12, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 1322 and 1451

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. DeWitt, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

#### SENATE BILL NO. 1322—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 51:2601 and 2602, relative to trade and commerce; to redesignate the Louisiana Open Housing Act as the Louisiana Equal Opportunity Act, and to provide for related matters.

Read by title.

#### SENATE BILL NO. 1451—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 51:1151(4), relative to municipal and parish industrial development boards; to provide relative to the types of development projects which such boards are authorized to undertake; and to provide for related matters.

Read by title.

### Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:



**HOUSE CONCURRENT RESOLUTION NO. 166—**

BY REPRESENTATIVE HOLDEN

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Louisiana Legislature upon the death of Mr. John A. Manda, Jr. of Baton Rouge.

Read by title.

On motion of Rep. Holden, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 167—**

BY REPRESENTATIVE JOHNS

**A CONCURRENT RESOLUTION**

To commend and recognize the United Way of Southwest Louisiana for their contributions to the community through their sponsorship of the Charity Pro-Am Golf Tournament with the Ladies Professional Golf Association.

Read by title.

On motion of Rep. Johns, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 168—**

BY REPRESENTATIVE RIDDLE

**A CONCURRENT RESOLUTION**

To urge and request the office of state parks to study the feasibility of making Fort DeRussy in Avoyelles Parish a state commemorative area and to report its findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Natural Resources.

Read by title.

Lies over under the rules.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Commerce**

May 12, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Bill No. 254, by Travis  
Reported with amendments. (8-1) (Regular)

House Bill No. 1362, by Travis  
Reported with amendments. (8-0) (Regular)

House Bill No. 1612, by Travis  
Reported with amendments. (7-0) (Regular)

House Concurrent Resolution No. 148, by McDonald  
Reported favorably. (8-0)

Senate Bill No. 146, by Bean  
Reported favorably. (9-0) (Regular)

Senate Bill No. 715, by Fields  
Reported favorably. (8-0) (Regular)

Senate Bill No. 716, by Fields  
Reported with amendments. (8-0) (Regular)

Senate Bill No. 918, by Landry  
Reported favorably. (8-0) (Regular)

Senate Bill No. 962, by Cain  
Reported favorably. (9-0) (Regular)

Senate Bill No. 1012, by Dardenne  
Reported with amendments. (9-0) (Regular)

Senate Bill No. 1043, by Hollis  
Reported favorably. (9-0) (Regular)

Senate Bill No. 1335, by M. Smith  
Reported favorably. (9-0) (Regular)

Senate Bill No. 1370, by Bagneris  
Reported favorably. (8-0) (Regular)

Senate Bill No. 1437, by Hollis  
Reported favorably. (8-0) (Regular)

JOHN D. TRAVIS  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Report of the Committee on Ways and Means**

May 12, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Resolution No. 42, by Winston  
Reported favorably. (9-0-1)

House Concurrent Resolution No. 138, by Riddle  
Reported with amendments. (10-0)

House Bill No. 2416, by Riddle  
Reported favorably. (10-0) (Regular)

JOHN A. ALARIO, JR.  
Chairman

**Privileged Report of the Committee on Enrollment**

May 12, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 47—**

BY REPRESENTATIVES MURRAY, A. ALEXANDER, COPELIN, FARVE, GREEN, MORRELL, PRATT, AND WILLARD-LEWIS

**A RESOLUTION**

To express the condolences of the House of Representatives of the Legislature of Louisiana and its sincere regrets upon the death of Mrs. Thelma L. Tucker Desselle Smith.

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Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

### **Suspension of the Rules**

On motion of Rep. Weston, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet on Tuesday, May 13, 1997.

### **Leave of Absence**

Rep. Triche - 1 day  
Rep. Powell - 1 day

### **Adjournment**

On motion of Rep. LeBlanc, at 6:30 P.M., the House agreed to adjourn until Tuesday, May 13, 1997, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Tuesday, May 13, 1997.

ALFRED W. SPEER  
Clerk of the House

C. Wayne Hays  
Journal Clerk, *Emeritus*